

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54066 of 2025

Arising Out of PS. Case No.-273 Year-2025 Thana- HARSIDHI District- East Champaran

Mantu Kumar Yadav @ Mantu Kumar S/O Late Jokhu Yadav R/O Vill.-
Murarpur, Pawariya Tola/ Pakariya Tola, Ward no. 9, P.S.- Harsidhi, Dist.-
East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Babita Devi W/O Maharaj Ram R/O Vill.- Jail Murarpur, Ward no. 10, P.S.-
Harsidhi, Dist.- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Abhishek Kumar, Adv.
For the Opposite Party/s	:	Mr.Binay Krishna, APP
For the Informant	:	Mr. Dhandev Kumar, Adv.

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 11-11-2025 Heard learned counsel for the petitioner and learned

APP for the State as also learned counsel for the Informant.

Perused the case diary.

2. The petitioner seeks bail in connection with
Harsidhi P.S. Case No. 273 of 2025 instituted for the offences
under Sections 115(2), 87, 140(4), 351, 352, 3(5) of the Bhartiya
Nyaya Sanhita, 2023, Sections 3(i)(r)(s) of the SC/ST Act and
Section 8, 12 of the POCSO Act.

3. As per prosecution case, the petitioner kidnapped
the informant's minor daughter forcibly in a four wheeler
(Scorpio). When the informant reached petitioner's house to



enquire about her daughter, the family members abused her with caste based slurs.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case due to oblique and ulterior motive. He further submits that there is delay of four days in lodging the F.I.R. that too without there being any plausible explanation for the same which creates doubt in the veracity of the prosecution case. Learned counsel for the petitioner further submits that in the statement of the victim girl recorded under Section 183 of the B.N.S.S., she has stated that she left her house voluntarily. There is no allegation of sexual assault against the petitioner. The victim girl is not minor as the Medical Board has assessed the age of the victim girl as 20 years. The petitioner has no criminal antecedent and is languishing in judicial custody since 04.06.2025 without any rhyme or reason. Charge-sheet has been submitted against the petitioner.

5. On the other hand, learned A.P.P. for the State and the Informant have vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature. The Investigating Officer, after completion of



investigation, has submitted charge-sheet against the petitioner for offence under Sections 137/96 of the B.N.S. and Sections 4/6 of the POCSO Act as also Sections 3(1)(r)(s) of the SC/ST Act.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Harsidhi P.S. Case No. 273 of 2025.

(Rudra Prakash Mishra, J)

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